

SOUTH DAKOTA BOARD OF NURSING

0-0

IN THE MATTER OF THE LICENSURE
PROCEEDINGS

:

DOH 17-07

RE: KEITH A. DEUTSCHER, RN

:

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND
ORDER OF SUSPENSION**

License No. R023070

:

Licensee.

:

0-0

The South Dakota Board of Nursing's ("Board") hearing on the summary suspension of Keith A. Deutscher, RN, license number R023070 ("Licensee") came before the Board at its office in Sioux Falls, South Dakota, on October 23, 2017, at 11:15 a.m.

Licensee, having been served with the Order for Summary Suspension and Notice of Hearing and Affidavit of Francie Miller by sheriff on July 28, 2017, did not appear in person to present evidence on his behalf or to confront witnesses. The Board appeared by and through its attorney, Kristine K. O'Connell. Administrative Law Judge Catherine Duenwald presided over the proceeding.

The Board considered the evidentiary testimony of Francie Miller, Board Investigator. The Board also considered the Board's exhibits numbered 1, 2, and 3 that were entered into evidence. The Board also considered the affidavit on file in this case and being charged with the statutory obligation to protect the public health, safety and welfare set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practices and practitioners, the Board hereby makes the following:

FINDINGS OF FACT

1. That Keith A. Deutscher is licensed to practice as a registered nurse in the State of South Dakota and holds license number R023070.

2. That on or about November 24, 2016, the Board was notified that Licensee had been terminated from his employment at a long term care facility and that while caring for a resident, the Licensee failed to assess, document, or report a fall for a resident entrusted to Licensee's care.

3. That Licensee had been previously counseled and had disciplinary warnings in regard to this failure to assess residents, failure to provide direction to the certified nurse aids, and failure to report to the oncoming charge nurse.

4. The Licensee was provided counseling by his employer in regard to the fall experienced by the resident in his care.

5. Counseling included the necessity for Licensee to fill out the appropriate forms when a patient has had a fall and to do the appropriate assessment and entry of a progress note.

6. Licensee also received a disciplinary warning in regard to his assessment of a resident who was showing signs of low blood sugar. He was also warned about his failure to provide adequate clinic reports to the oncoming charge nurse and to adequately chart in the residents' charts.

7. Licensee signed both his counseling and disciplinary warning documentation.

8. Licensee was terminated from his position as of November 25, 2016.

9. The Licensee, during the Board's investigation of this matter, did not respond to the numerous attempts made to contact him.

From the foregoing findings of fact, the Board draws the following:

CONCLUSIONS OF LAW

1. That the Board has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49
2. That the Licensee's conduct as identified in the findings of fact are in violation of SDCL §§ 36-9-49 (5) in that Licensee acted in a manner inconsistent with the health and safety of those entrusted to his care.

THEREFORE, let an order be entered accordingly.


ORDER

Based on the Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby orders:

1. That the Licensee's license to practice nursing in the State of South Dakota is hereby indefinitely suspended.
2. That the Licensee is hereby notified that any practice of or holding himself out as a registered nurse during the term of this suspension is in violation of SDCL § 36-9-68.
4. That Licensee may petition for reinstatement of his license at any time for "good cause" pursuant to SDCL § 36-9-57.

Dated this 1st day of November, 2017.

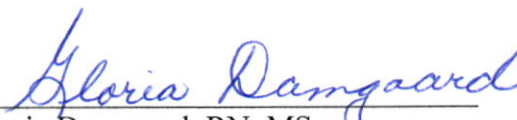
SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Executive Director

The South Dakota Board of Nursing, at the hearing on the 23rd day of October, 2017, approved this Order of Suspension as written by a vote of 7-0, and issues its Order of Suspension consistent herein.

IT IS HEREBY ORDERED that the above Order of Suspension is adopted as an Order of the South Dakota Board of Nursing on this 1st day of November, 2017.

SOUTH DAKOTA BOARD OF NURSING


Gloria Damgaard, RN, MS
Executive Director